

**Amendment No. 1  
To  
Intergovernmental Agreement PHX-CON-2010-0519  
Between  
The Arizona Game and Fish Commission and the City of Tempe**

The purpose of this Amendment No. 1 is to expand the Urban Fishing Program to include the addition of Tempe Town Lake, located in the City of Tempe and make other necessary changes to the Intergovernmental Agreement.

**Whereas,** The City of Tempe and the Arizona Game and Fish Commission entered into an Intergovernmental Agreement dated July 20, 2010, for the purpose of conducting an Urban Fishing Program; and,

**Whereas,** both Parties desire to provide an urban sport fishing recreational opportunity to the extent such a program is found practical; and,

**Whereas,** an expansion of the Urban Fishing Program is desired to include Tempe Town Lake which is located in the City of Tempe;

**Therefore:** The Terms and Conditions in Intergovernmental Agreement set forth herein shall be amended as follows:

**The Commission Agrees That the Department Shall:**

4. Annually stock Evelyn Hallman Pond and Kiwanis Lake with catchable rainbow trout from November through March and channel catfish from March through November. Catfish stocking will cease from July 5 through September 15 due to heat stress factors. Trout and catfish stockings into these two lakes will be made approximately every two weeks. Annually stock Tempe Town Lake with catchable rainbow trout from November through March from one to two times monthly. Adjustments to these stocking schedules may be required due to climatic conditions, fish availability and condition, or lake water quality conditions.

Stock bluegill or redear sunfish once annually in late spring into Evelyn Hallman Pond and Kiwanis Lake. Other approved fish species will be stocked as necessary in these two lakes to: 1) establish a resident fish population, 2) augment existing fish populations, 3) maintain a balanced fishery, or 4) improve angler success rates.

\* \* \*

8. Enforce all Commission rules and regulations and Arizona Revised Statutes, Title 17 (Game and Fish laws). Cooperate and coordinate with local law enforcement officials and justice courts to ensure angler compliance goals are met.

**The City of Tempe Shall:**

1. Conduct an information program to inform park users of the Urban Fishing Program and provide “Open to the Public” Sport Fishing Education programs at Evelyn Hallman Pond, Kiwanis Lake and Tempe Town Lake. Install and maintain a Department-provided Fishing Information Station (kiosk with bulletin board) at each lake to post current Urban Fishing Program information for the public. Install and maintain as needed, Department-provided Urban Fishing Program information and regulation signs at all primary access points around the lake. Make information on the Urban Fishing Program available to the public at park facilities, on the City of Tempe website, and other outlets.

\* \* \*

6. Enforce State, City and Park codes, rules, regulations and laws (including ARS Title 17 Game and Fish Laws), as applicable. Assist the Department in the enforcement of fishing laws by reporting violations or suspected violations, by warnings, and by citations as necessary to achieve compliance goals.

\* \* \*

8. Provide access to Evelyn Hallman Pond, Kiwanis Lake and Tempe Town Lake so that Sport Fishing Education contractors, Department personnel, and volunteer instructors may conduct Sport Fishing Education programs at no charge.
9. Provide suitable park and lake access to allow for the yearlong stocking of fish using large, heavy vehicles by the Department and their fish contractors at Evelyn Hallman Pond, Kiwanis Lake and Tempe Town Lake.

**General Provisions:**

3. Notices.

- A. To the City of Tempe:  
Mr. Don Bessler  
Tempe Public Works Department  
P.O. Box 5002  
Tempe, Arizona 85280
- B. To the Department:  
Chris Cantrell  
Arizona Game and Fish Department  
5000 West Carefree Highway  
Phoenix, Arizona 85086

All other Terms and Conditions of the original IGA dated July 20, 2010 shall remain in full force and effect.

**CITY OF TEMPE**

By: \_\_\_\_\_  
Don Bessler, Director  
Public Works Department

\_\_\_\_\_ Date

ATTEST: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
City Attorney

\_\_\_\_\_ Date

**ARIZONA GAME AND FISH COMMISSION**

By: \_\_\_\_\_  
Larry D. Voyles  
Secretary to the Commission and  
Director, Arizona Game and Fish Department

\_\_\_\_\_ Date

**APPROVAL OF THE ARIZONA GAME AND FISH COMMISSION ATTORNEY:**

I have reviewed the above-referenced Amendment 1 to Intergovernmental Agreement between City of Tempe, Arizona and the Arizona Game and Fish Commission and declare this Amendment to be in proper form and within the power and authority granted to the Arizona Game and Fish Commission under the laws of the State of Arizona.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013 \_\_\_\_\_  
Jim Odenkirk, Attorney  
Arizona Game and Fish Commission